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FitzPatrick, Cella, Harper & Scinto 30 Rockefeller Plaza New York, New York 10112-3801 Attn: Jason Okun

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OFFICE OF PETITIONS

In re Application of

Takahashi et al

Application No. 10/603,609 Patent No: 6,953,426 B2

Filed: June 26, 2003

: DECISION DISMISSING LETTER

This letter is in response to patenteess' "COMMENTS ON DETERMINATION OF PATENT TERM ADJUSTMENT" filed February 24, 2006 advising the Office of a discrepancy in the PTA determination. The Office thanks patentees for their good faith and candor in bringing any discrepancy to the attention of the Office.

The letter submitted by Patentees is Dismissed. The patent term adjustment at the time of the issuance of the patent is confirmed.

Patentees assert that there is a discrepancy in the PTA determination. Patentees do not provide information as to why such determination is incorrect. If patentees point out specifically why they believe such to be inaccurate, the Office would review such alleged inaccuracy.

Upon review of the determination, the PTA determination is accurate. The delay in issuing the patent was one hundred and nineteen days under 37 CFR 1.702(a)(4). Patentees delayed on one occasion under 37 CFR 1.704(b) for a period of four days and delayed under 37 CFR 1.70(4)(c)(7) by a period of twenty-three (23) days. Accordingly, patentees delay amounted to 27 days. Accordingly, the correct a mount of PTA is ninety-two (92) days.

Because this letter was submitted out of good faith and candor, no fee will be assessed concerning this letter.

Any questions related to this decision can be addressed to Kery Fries, Office of Patent Legal Administration, Office of Deputy Commissioner for Patent Examination Policy at 571-272-7757.

Kery Fries Senior Legal Advisor

Office of Patent Legal Administration

Office of Deputy Commissioner for Patent Examination Policy

cc: PAIR calculation



## PALM INTRANET

Day : Saturday Date: 9/2/2006 Time: 11:51:21

PTA Calculations for Application: 10/603609								
Application Filing Date:	06/26/2003	PTO Delay (PTO):	119					
Issue Date of Patent:	10/11/2005	Three Years:	0					
Pre-Issue Petitions:	0	Applicant Delay (APPL):	27					
Post-Issue Petitions:	0	Total PTA (days):	92					
PTO Delay Adjustment:	0							

File Contents History							
Number	Date	Contents Description	PTO	APPL	START		
46	10/11/2005	PATENT ISSUE DATE USED IN PTA CALCULATION	119		42		
45	09/08/2005	RECEIPT INTO PUBS					
44	09/07/2005	DISPATCH TO FDC					
43	09/07/2005	APPLICATION IS CONSIDERED READY FOR ISSUE					
42	02/14/2005	ISSUE FEE PAYMENT VERIFIED					
41	09/07/2005	RECEIPT INTO PUBS					
40	03/28/2005	RECEIPT INTO PUBS					
39	02/15/2005	ISSUE FEE PAYMENT RECEIVED					
38	11/22/2004	EXPORT TO INITIAL DATA CAPTURE					
37	01/20/2005	RECEIPT INTO PUBS					
36	11/30/2004	RECEIPT INTO PUBS					
35	11/29/2004	WORKFLOW - FILE SENT TO CONTRACTOR					
34	11/15/2004	MAIL NOTICE OF ALLOWANCE					
33	11/10/2004	WORKFLOW INCOMING AMENDMENT IFW					
32	11/10/2004	ISSUE REVISION COMPLETED					
31	11/10/2004	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED					
30	11/10/2004	NOTICE OF ALLOWABILITY					
29	11/10/2004	DATE FORWARDED TO EXAMINER					
28	10/27/2004	RESPONSE AFTER NON-FINAL ACTION		23	24		
27	10/27/2004	REQUEST FOR FOREIGN PRIORITY (PRIORITY PAPERS MAY BE INCLUDED)			·		
26	10/27/2004	NAAII NOTICE OF INEODMAI OD NON					
25	10/12/2004	DATE FORWARDED TO EXAMINER					
24.1	10/04/2004	INFORMAL OR NON-RESPONSIVE AMENDMENT					

		AFTER EXAMINER ACTION		
24	10/04/2004	RESPONSE AFTER NON-FINAL ACTION	4	22
23	10/04/2004	WORKFLOW INCOMING AMENDMENT IFW		
22	06/30/2004	MAIL NON-FINAL REJECTION		
21	06/09/2004	NON-FINAL REJECTION		
20	06/02/2004	CASE DOCKETED TO EXAMINER IN GAU		
19	05/21/2004	CASE DOCKETED TO EXAMINER IN GAU		
18	03/25/2004	CASE DOCKETED TO EXAMINER IN GAU		
17	08/28/2003	REFERENCE CAPTURE ON IDS		
16		INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
15	09/02/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
14	02/18/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE		
13		CASE DOCKETED TO EXAMINER IN GAU		
12	09/11/2003	REQUEST FOR FOREIGN PRIORITY (PRIORITY PAPERS MAY BE INCLUDED)		
11	09/02/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
10	11/11/2003	TRANSFER INQUIRY TO GAU		
9	09/10/2003	APPLICATION RETURN FROM OIPE		
8	09/11/2003	APPLICATION IS NOW COMPLETE		
7	09/10/2003	APPLICATION RETURN TO OIPE		
6	09/10/2003	APPLICATION DISPATCHED FROM OIPE		
5	09/10/2003	APPLICATION IS NOW COMPLETE		
4	08/21/2003	CASE CLASSIFIED BY L&R		
3	08/21/2003	CLEARED BY OIPE CSR		
2	07/20/2003	IFW SCAN & PACR AUTO SECURITY REVIEW		
1	06/26/2003	INITIAL EXAM TEAM NN		

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## **EXPLANATION OF PTA CALCULATION**

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